

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA

Plaintiff,

v.

Case No. 06-CR-20028

TOMMIE L. THOMPSON

Defendant.

**ORDER ADOPTING IN PART AND REJECTING IN PART THE MAGISTRATE
JUDGE'S REPORT AND RECOMMENDATION**

This matter was referred to Magistrate Judge R. Steven Whalen to conduct a hearing and submit a report and recommendation ("R&R") as to the defendant's violations of supervised release. The magistrate judge recommended that the court find Defendant guilty of all three charged violations and proposed certain parameters to be imposed as Defendant's sentence. (R&R at 13.)

The court held a hearing on April 29, 2009, at which time Defendant's counsel stated that there were no objections to the R&R. (4/28/09 Tr. at 5.) The court informed the parties of its intent to accept that part of the R&R which recommended finding Defendant guilty of all three charged supervised release violations, but to take the magistrate judge's analysis of a proper sentence as only a recommendation. (*Id.* at 6.) After extensive discussion, the court imposed a sentence as detailed on the record. (*Id.* at 17.) Accordingly,

IT IS ORDERED that the magistrate judge's report and recommendation [Dkt. # 22] is ADOPTED IN PART AND REJECTED IN PART. Specifically, it is ADOPTED to the extent that Defendant be found guilty of the three charge supervised release violations. It is REJECTED only to the extent that the details of the magistrate judge's recommended sentence differ from those imposed by this court at the April 29, 2009 hearing.

S/Robert H. Cleland
ROBERT H. CLELAND
UNITED STATES DISTRICT JUDGE

Dated: May 1, 2009

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, May 1, 2009, by electronic and/or ordinary mail.

S/Lisa Wagner
Case Manager and Deputy Clerk
(313) 234-5522